

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>MICHAEL L. BLUMENTHAL,</b>	)	
	)	
<b>vs.</b>	)	<b>Court No. 8:08-cv-258</b>
	)	
<b>MATTHEW H. ANSELMO, M &amp; M MARKETING, L.L.C., and KATHRYN HEMENWAY,</b>	) ) ) )	<b>Judge Laurie Smith Camp  Magistrate Judge F.A. Gossett III</b>
<b>Defendants.</b>	)	

**DECLARATION OF MICHAEL L. BLUMENTHAL**

Pursuant to 28 U.S.C. § 1746, the undersigned MICHAEL L. BLUMENTHAL declares:

1. That your Declarant is an adult of legal age, competent to testify and has personal knowledge of the facts set forth herein as well as those set forth in the complaint and motion filed herein.
2. That if called to testify I would competently testify as follows:
3. Exhibit A is a true and correct copy of the final judgment entered by this Court on January 31, 2008, and that I received from this Court's CM/ECF system.
4. Exhibit B is a true and correct copy of the Disclaimer of Interest signed by Matthew H. Anselmo, on June 27, 2008.
5. Exhibit C is a true and correct copy of Foot Locker, Inc.'s response to the Third Party Citation to Discover Assets served on Foot Locker, Inc., that Foot Locker, Inc. filed with this Court's CM/ECF system on July 10, 2008.
6. A copy of the citation served on Foot Locker, Inc. was mailed to the judgment debtor as is required by 735 ILCS 5/2-1402(b).

s/ Michael L. Blumenthal

**Michael L. Blumenthal, Esq.  
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Attorney I.D. # 6183007**

ctt

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Joan B. Gottschall	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 7230	DATE	1/31/2008
CASE TITLE	Blumenthal vs. Anselmo		

## DOCKET ENTRY TEXT

Motion hearing held. Motion by Plaintiff to default defendant for failure to file an answer or otherwise plead [12] is granted. Default judgment is entered against Defendants, Matthew H. Anselmo and M & M Marketing L.L.C in the amount of Two Million Two Hundred Thousand (\$2,200,000.00) plus prejudgment interest at the Illinois rate of 9%, from June 6, 2007 through judgment date. Oral motion by Plaintiff for temporary restraining order to bar defendants from transferring its assets out of the Continental United States is granted based on the sworn allegations of the complaint. The clerk is directed to correct the docket to reflect that summonses were executed by Carl Barnett (process server) and not Michael Blumenthal.

Docketing to mail notices.  
Mail AO 450

00:15

Courtroom Deputy  
Initials:

RJ

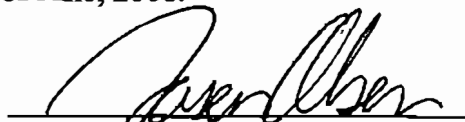
## DISCLAIMER OF INTEREST

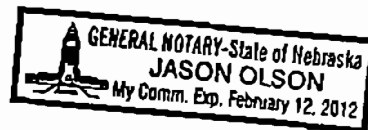
I, Matthew H. Anselmo, as the sole owner and manager of M & M Marketing L.L.C. and Premier Fighter L.L.C. (both Nebraska Limited Liability Companies) hereby disclaim in my personal and corporate capacities, any interest in either company's assets, tangible or intangible, effective June 25, 2008. As the sole owner and manager of each company, I have transferred all of the assets of each company, both tangible and intangible to Michael Blumenthal and Frank Vicari. I have retained no right to and no longer have any affiliation with Premier Fighter branded products.

By:

  
MATTHEW H. ANSELMO

**SUBSCRIBED and SWORN**  
to before me this 27 day  
of June, 2008.

  
Notary Public



**ANSWER**Foot Locker, Inc.**Citation Respondent**

property of the judgment debtor, the Citation Respondent files the following answer to this Citation to Discover Assets and is in possession of the following property of the judgment debtor.

Circle one or more of the following and indicate the amount held:

- A) Savings Account (Amount withheld) \$ N/A  
 B) Checking and/or Now Account (Amount Withheld) \$ N/A  
 C) Certificate of Deposit (Amount Withheld) \$ N/A  
 D) Money Market Account (Amount held) \$ N/A  
 E) Trust Account (Amount held) \$ N/A  
 F) Safety Deposit Box \$ N/A  
 G) Account(s) No. N/A  
 H) Adverse Claimant: Name N/A Address \_\_\_\_\_  
 I) Wages, Salary or Commissions N/A  
 J) Other Personal Property (Describe) N/A  
 K) Accounts Payable (Amount and Due Date) \$269,572.50, immediately payable to Premier Fighter, Inc.

Attach a sheet for any additional information required by the Citation

Sub Total \$269,572.50

Less right of offset for other loans \_\_\_\_\_

Less Deduction for fees limited by

205 ILCS 5/48.1 \_\_\_\_\_

Total \$269,572.50

According to the business records kept by the Citation Respondent we show the above accounts to be correct.

/s/ Matthew C. Luzadder

**Agent for Citation Respondent**

Attorney for Foot Locker, Inc.

David Bell

on oath state:

I am over 21 years of age and not a party to this case. I served the citation to discovery assets as follows:

on June 18, 2008 by leaving a copy with the third party defendant on June 18, 2008 at the hour of 4:12 pm  
6:00 a.m./p.m., at 205 S. La Salle, # Chicago, IL

Cook County, Illinois. On the third party defendant Foot Locker, Chicago Sports + Entertainment  
 by mailing a copy on \_\_\_\_\_, 2008 by certified mail addressed to agent of the third party defendant,  
 return receipt requested.

[Signature]  
 \*\* Signed and sworn by party making service

6/18

, 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MICHAEL L. BLUMENTHAL,

Plaintiff,

v.

MATTHEW H. ANSELMO, and  
M&M MARKETING, L.L.C.,

Defendants.

No. 07 C 7230

Judge Joan B. Gottschall

Magistrate Michael T. Mason

**NOTICE OF FILING**

PLEASE TAKE NOTICE that on the 10<sup>th</sup> day of July, 2008, we caused to be filed with the United States District Court for the Northern District of Illinois Eastern Division, *Third-Party Citation Respondent Foot Locker, Inc. 's Answer to Third-Party Citation*, a copy of which is submitted herewith.

Dated: July 10, 2008

/s/ Matthew C. Luzadder

One of the Attorneys for Defendant,  
FOOT LOCKER, INC.

Matthew C. Luzadder (#6283424)  
KELLEY DRYE & WARREN LLP  
333 West Wacker Drive  
Suite 2600  
Chicago, IL 60606  
(312) 857-7070

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby deposes and states that he caused the foregoing *Third-Party Citation Respondent Foot Locker, Inc.'s Answer to Third-Party Citation* to be electronically filed with the Clerk of the Court on July 10, 2008, using the ECF system, and served on all parties via the ECF system, pursuant to LR 5.9, as to Filing Users and in accord with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

s/ Matthew C. Luzadder  
Matthew C. Luzadder